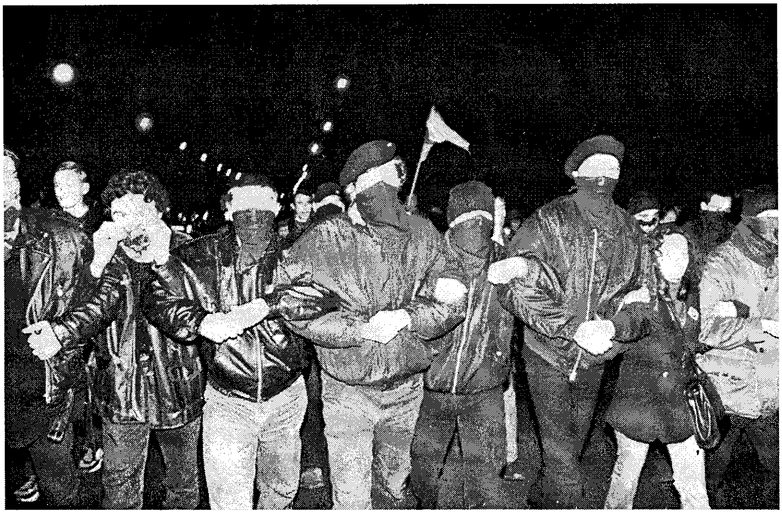


№ 21 (69)
November 2000

The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"



Young People Demand Changes

Rally "We Want Changes!" Carried Out by the Young Belarusians on November 12, Was Broken Up by Police...

Two years ago the statement "Lukashenka lost the youth" was taken for granted. Young people not only actively participated in various opposition-led protests against Lukashenka but also arranged their own anti-dictatorship events aimed at holding back the further advancement of the regime. Over the past two years the youth has been untiringly fighting the regime but the conflicts within the leadership of "Young Front", "Maladaya Hramada" and other youth organizations gradually brought down the number of youth protests.

(Continued on page 3)





Miensk, October 12, 2000

Chronicle

On October 26 the Ministry of Justice issued a written statement warning the Council of the public association "Human Rights Center «Viasna»". The Ministry of Justice revealed that "Viasna" uses the name not complying with the name in the registration certificate issued by the Ministry of Justice. Using the name of the Human Rights Center «Viasna», one should use the words "public association" before it.

On October 27 the administrative case against Uladzimir Shchytko Sr. and Uladzimir Shchytko Jr. (father and son) was considered at the Babruisk Piershamaiski District Court. The police had detained the Shchytkos on October 12 for distribution of the special issue of the newspaper «Rabochy» and flysheets with calls to boycott the election. The father and the son were fined 10 thousand rubles each.

On October 27 a student of Belarusian State Economics University appealed to the Human Rights Center «Viasna» telling us this: "In order to "repeat" the perfect results of the first round of the election, the university administration held the classes on Sunday, October 29 (the run-off election day), instead of November 4. This way they made the students stay in Miensk. The lecturer Lawshynskaya told our group about the warning she received at the Dean's office: a special commission headed by the Deputy Rector was going to check out students' attendance at 1 p.m. on October 29. "If somebody is not present, they should expect a very serious conversation with the Dean", — she said.

(to be continued on p.6-7)

The Persecution of the Press Is to Be Stopped

Appeal of the International League for Human Rights to the Belarusian authorities

To: Alexander Lukashenko
Republic of Belarus

cc: Oleg Bozhelko
Prosecutor-General

Michael Kozak
US Ambassador

Dear Mr. Lukashenko,

The International League for Human Rights, an international non-governmental human rights organization with consultative status at ECOSOC UN, is writing to express serious concern about the continuing harassment of the independent press in Belarus in view of the recently delivered warning to the independent newspaper *Nasha Slova* [Our Word] and the attack on the office of the independent newspaper *Shag [Step]*. This and other warnings in the recent past, the re-registration of media outlets, the confiscations of copies of several independent newspapers, and attacks on newspaper offices are clearly an effort to further cripple the NGO sector and independent press in Belarus, particularly related to the country's political life, monitoring and publicizing human rights violations, advocacy on behalf of victims, and, as is the case with *Nasha Slova*, development of the Belarusian language and culture.

On August 21, 2000, Michail Podgainy, Chair of the State Press Committee, sent a notification to all the independent media outlets in Belarus in which he reminded them that, according to Presidential Decree #11 On Regulations of State Registration and Cessation of Commercial Subjects Activities, such media outlets had to be registered with their local executive committee by January 1, 2001, either as a commercial or a non-profit organization. According to Mikhail Pastukhov, the head of the Legal Assistance Center, it will be almost impossible for the newspapers to get their registration certificates by that date, considering that there are currently 20 thousand companies awaiting re-registration and that Minsk City Council essentially finished accepting applications on October 1, 2000.

On September 13, 2000, policemen confiscated the special issue of *Rabochy* (112 thousand copies). Both Victor Ivashkevich, the newspapers editor-in-chief, and Yuri Butko, the chief of the publishing house *Magic*, were detained and taken to Pervomaisky District Internal Affairs Department. Later, they were taken to Pervomaisky District Court and charged with violation of Article 167.3 of the Administrative Violations Code (violation of the electoral legislation). Ivashkevich was accused of calling for boycott of the parliamentary election, while Budzko was accused of publishing the issue. The League notes that calls for boycott are an action perfectly legal according to the Belarus Constitution and international standards for the protection of freedom of speech and the press

On November 1, 2000, the State Press Committee issued *Nasha Slova* a warning for publishing information on behalf of public organizations unregistered by the State. The Committees letter sent to the editorial board on October 25 notes the statement published by the newspaper on September 6, 2000 of the Grodno Union of Democratic Veterans of War and Labor and addressed to the country's leadership and all people of good will. According to the letter, the newspaper has violated paragraph 9, part 1 of Article 5 of Belarus Law On Press and Other Mass Media since no such organization is registered by Grodno District Executive Committee. The newspapers founding organization, Society of the Belarusian Language, however, claims that this organization indeed has been registered and attributes this warning to the general effort of the authorities to clamp down on advocates of Belarusian culture. Such efforts can be understood in a context where those who promote Belarusian language and culture are perceived as an active part of the opposition forces, thus apparently presenting a threat to the current government.

On November 5, 2000, the office of the independent newspaper *Shag [Step]* was attacked and burglarized. Early in the morning, at 4 a.m., 5 unidentified individuals broke in the newspapers office, severely beating and tying the security guard. The robbers took 5 computers, 2 printers, and 2 scanners. According to Voitekhovsky, the newspapers executive director, the attack may have been politically motivated, considering the newspapers independent spirit and the recent expansion of its distribution area. This seems quite plausible in view of the following facts: a) computers with *Shag's* entire database were stolen thus effectively paralyzing the newspaper; b) the attackers took the 25-dollar device connecting the com-puters local network while ignoring the several new printer cartridges worth hundreds of dollars; c) there are several much better equipped offices in the same building, including a trading firm right next door; d) despite later having his eyes taped, the security guard caught a glimpse of one of the attackers military pants and boots.

The League is concerned about the continuing, and recently stepped-up campaign to crack down on the freedom of the press in Belarus. We are particularly concerned that these attacks follow repeated assurances by the government of Belarus that they were serious about complying with OSCE standards for elections. We note that not only access to the State media, but removal of the unlawful restrictions on independent media outlets are vital for the development of democracy in Belarus. We urge you to ensure that these gross violations of the basic principles of freedom of press and association are ended immediately. Thank you for your attention, we await your response.

Sincerely,

Catherine Fitzpatrick
Executive Director

"Viasna" Prepared an Alternative Review

On November 15 in Geneva the UN Committee against Torture presented the conclusions of its four-year review of Belarus. The Republic of Belarus sent an official report about the situation in the country to the UN Committee. The Human Rights Center «Viasna» did an alternative review of how the Belarusian authorities implement the Convention against torture and other cruel, inhuman or degrading treatment and punishment.

The review covered the period since April 1995 till April 2000. "Viasna" stated that "there have been numerous cases of torture and other degrading kinds of treatment and punishment – especially badly affecting the political opponents of Lukashenka's regime. During preliminary investigation fact-finding teams within the Ministry of Internal Affairs extensively use torture as a means of making administrative arrestees more 'cooperative'".

In its review "Viasna" mentions the facts of beating the MPs of the Supreme Soviet of 12th Convocation, torture of V. Hanchar, chair of the Central Electoral Committee, of A.Klimaw, MP of the Supreme Soviet of the 13th Convocation, of the detained during the opposition rallies Iu. Bielenki, S. Karashchanka, A. Shydlowski, of the participants of the "March of Freedom-1" on October 17, 1999, etc.

Presenting all the gathered facts, "Viasna" draws the conclusion that the Belarusian authorities do not implement all the provisions of the Convention because the described facts do not meet the requirements of the articles 4, 11, 12, 13, and 14 of the Convention. "Viasna" suggests that the UN Committee should include the mentioned facts in its annual review, which would be prepared by the terms of article 24 of the Convention and to present its review to the Republic of Belarus – a party to the Convention.

YOUNG PEOPLE DEMAND CHANGES

(continued from page 1)

Only this autumn the Belarusian youth from different opposition organizations got over the various splits and united into the Coalition of Youth Political Organizations "Changes!" The protests carried out by youth nationwide on November 12 were the first joint action of the newly established coalition.

The Miensk City Executive Committee, as usual, did not permit to march from the Academy of Sciences to Independence Square. The demonstrators were supposed to head for the notorious Banhalor Square. However the youth leaders decided not to give up their plans. The authorities were well aware of that, and took the march very seriously. The police put cordons round the Academy of Sciences – the meeting point of the march participants. Metro trains, buses and trolleybuses did not stop at the nearby stations. In spite of all the obstacles, about 1000 young people gathered at 6 p.m. near the Academy. At 6.30 the column started off for Independence Square, occupying several traffic lanes and part of the pavement. The double police cordon blocked the column's way before they could reach Yakub Kolas Square. The young people stopped, seeing no sense in clashing with the policemen armed with batons and shields. The police felt free to start a "hunt" for the march participants...The police and special squad officers snatched the young people out of the ranks of the protesters. Even those who wanted to hide in the backyards were ambushed. The detained were dragged to the specially prepared buses, any effort to show resistance (in the dark the police grabbed a lot of uninvolved people – the only criterion was the young age of the victims) was severely punished by the rubber batons...

The mass detentions of the youth began in Miensk even before the start of the march itself.

The police detained a lot of young people who just happened to be walking by and were not engaged in any kind of action. For instance, the police detained the students of Belarusian Polytechnic Academy on their way to the dormitory situated nearby. The special police squad officers detained people giving no explanations and using brute force against the teenagers. The detained were taken to the Savietski, Pershamayski, Maskouski and Partyzanski District Boards of Internal Affairs (DBIA). The members of the Human Rights Center «Viasna» immediately followed them.

All in all, the police arrested 112 people, the majority of whom were under age. In several hours the minors were released. The rest (26 detainees) had to spend a night in the special detention center in Akrestsina Street. Some of the detained were taken out of town and left there alone to find their way back home.

That day the rallies named "We Want Changes!" took place in 25 towns of Belarus. Besides Miensk, the most large-scale rallies were organized in Mahilou, Horadnia, Baranavichy, Orsha... The rallies were different by their nature: in some towns the young people organized pickets, in others – discos. In Barysau (Miensk region) an unauthorized picket within the national youth campaign "We Want Changes!" took place on November 11. At 11 a.m. the members of "Maladaya Hramada" came to the central city square, located in front of the building of the city executive committee and unfolded the posters with the calls for the changes in the society. The very moment the picketers unfolded their posters, the police detained them and took them to the Zavodzki DBIA of Barysau. The reports of the violation of article 167.1 of the Code for Administrative Violations (violation of the order of organizing and conducting mass protests) were drawn up. After that the police called the parents of the detained teenagers and released them with a warning that this was just the beginning of the case. In Horadnia the city authorities decided to move the time of the rally (from 3 p.m. to 5 p.m., when it gets dark) and change the location of the rally itself (Karl Marx Street to the place which is considerably farther away from the city center). The picket participants did not agree to obey the decision and came, as it had been planned, at 3 p.m. to Karl Marx Street. In 20 minutes the police came and started to detain people. About 20 people were arrested...



A LIST OF THE DETAINED

DURING THE YOUTH RALLY "WE WANT CHANGES!" IN MIENSK, HORADNIA AND BARYSAU

MIENSK

There were 112 people detained. 54 detainees were taken to the Savietski District Board of Internal Affairs (DBIA), 21 – to the Piershamaiski DBIA, 25 – to the Maskowski DBIA, 9 (excluding people under age) – to the Partyzanski DBIA. The police released the people under age, and kept 20 people under arrest before the trial in the detention center in Akrestsina Street. All the detained were filmed.

Among the detained were (the list is notcomplete yet):

1. *Siarhiei Shmialiow*
2. *Alies Filipovich* (15 years old)
3. *Zialiotkin*
4. *Buratski*
5. *Alies Straltsow*
6. *Dzianis Iaromienka*
7. *Ruslan Kharkievich*
8. *Paviel Savich* (born in 1983) – detained at a trolleybus stop near the Academy of Sciences
9. *Paviel Hietman*
10. *Vital Dziadovich*
11. *Ales Androsaw*
12. *Alaxiei Mikalaichyk*
13. *Maryia Kunina*
14. *Alaxandr Kalina*
15. *Siarhiei Astapchuk* (17 years old)
16. *Alaxiei Zharko* (17 years old)
17. *Siarhiei Atroshchanka* (16 years old)
18. *Alaxiei Shalakhowski*
19. *Palina Maskaliova* (under age)
20. *Zmitsier Milai* (under age)
21. *Zmitsier Khomich*
22. *Anatol Baluk* (14 years old)
23. *Ivan Tsitovich*
24. *Tsimokh Atrashchankow* (under age)
25. *Vasil Vianiarski* (member of United Civic Party)
26. *Andrei Shawchuk* (14 years old)
27. *Anton Silitski* (17 years old)
28. *Paviel Miatlitski*
29. *Uladzimir Starykovich*
30. *Zmitsier Charnianok*
31. *Iawhien Makieiew*
32. *Mikhail Hapanovich* (16 years old)
33. *Vasil Mytsyk* (17 years old)

(Continued on page 4)

LIST OF THE DETAINED

(Continued from page 3)

34. *Zmitsier Smaliakow* (15 years old)
35. *Ivan Malafieiew* (17 years old)
36. *Zmitsier Khamienka* (15 years old)
37. *Andrei Babii*
38. *Alaxiei Buzuk*
39. *Andrei Mazowka*
40. *Uladzimir Samonchanka*
41. *Kirul Chulkow*
42. *Volha Tsimashuk*
43. *Uladzimir Lysko*
44. *Vital Koshaliew*
45. *Andrei Iurkaviets*
46. *Nadzieia Hrachukha*
47. *Uladzimir Tkachenka*
48. *Iaraslaw Malishewski*
49. *Krystsina Sidun*
50. *Andrei Vitushka*
51. *Ales Dubinchuk* (Puchavicy town, under age) – was kept in the juvenile detention center till November 14
52. *Ales Bielski* (Puchavicy town, under age) – was kept in the juvenile detention center till November 14
53. *Andrei Ivanow*
54. *Andrei Makarecki*
55. *Vital Dynkouski*
56. *Iewsikaw Dzianis*
57. *Viktar Pacel*
58. *Uladzimir Tarakanaw*
59. *Dzmitry Hrynkievich*
60. *Paviel Kirylaw*
61. *Kiryla Pazniak* (journalist — released)
62. *Vadzim Downar* (journalist — released)

The people, the reports on whom where drawn up several days after the rally:

1. *Siarhiei Pyanykh* (November 15)

HORADNIA

1. *Andrei Mialeshka* (detained till the trial, spent a night in the detention center);
2. *Sviatlana Niekh* (detained till the trial, spent a night in the detention center);
3. *Vadzim Saranchukow* (detained till the trial);
4. *Andrei Mielnikaw* (detained till the trial, spent a night in the detention center);
5. *Dzianis Mikhalchyk;*
6. *Ales Lashkowski* (detained till the trial, spent a night in the detention center);
7. *Ihar Babkin* (under age, was released);
8. *Volha Ivanova;*
9. *Natallia Kaptsevich;*
10. *Valha Kamiahina* (under age, was released);
11. *Alena Mashkala;*
12. *Volha Filipovich;*
13. *Zmitsier Iahoraw* (journalist, was released);
14. *Siarhiei Klimuk;*
15. *Ina Mialieshka.*

BARYSAU

1. *Mikhas Kuzniatsow*
2. *Alena Iasiuk*
3. *Maryna Iasiuk*

Information Department of the Human Rights Center «Viasna»



TRIALS OVER THE DETAINED

PARTICIPANTS OF THE YOUTH RALLY "WE WANT CHANGES!"

All the detainees are accused of violation of Article 167.1 of the Code for Administrative Violations – violation of order of organization and conduct of mass protests.

MIENSK

Savietski district court

1. *Andrei Mazowka* (fined 20 minimal salaries)
2. *Uladzimir Samonchanka* (fined 20 minimal salaries)
3. *Ivan Tsitovich* (fined 20 minimal salaries)
4. *Uladzimir Tkachenka* (warned)
5. *Volha Tsimashuk* (warned)
6. *Nadzieia Hrachukha* (warned)
7. *Andrei Iurkaviets* (3 days of arrest)
8. *Vital Koshaliew* (warned)
9. *Uladzimir Lysko* (fined 20 minimal salaries)
10. *Vasil Vianiarski* (trial postponed to Nov. 16)
11. *Kiryl Chulkow* (warned)
12. *Iaraslaw Malishewski* (warned)
13. *Siarhei Pyanykh* (trial on Nov. 17)

Piershamaiski district court

1. *Siarhiei Shmialiow* (the trial was postponed to November 16)
2. *Dzianis Iaromienka* (the trial was postponed to November 16)
3. *Ruslan Kharkievich* (the trial was postponed to November 16)
4. *Iury Hryhoryew* (observer of the Belarusian Helsinki Committee), warned

HORADNIA

1. *Ina Mialeshka* (verdict to be passed on November 21).
2. *Sviatlana Niekh* (verdict to be passed on November 21).
3. *Vadzim Saranchukow* (verdict to be passed on November 21).
4. *Andrei Mielnikaw* (fined 20 minimal salaries)
5. *Ales Lashkowski* (didn't appear in court because the judge refused to invite a Belarusian-Russian interpretor)
6. *Volha Ivanova* (verdict to be passed on November 21).
7. *Andrei Mialieshka* (fined 30 minimal salaries)
8. *Natallia Kaptsevich* (fined 20 minimal salaries)
9. *Volha Filipovich* (warned)
10. *Alena Mashkala* (warned)
11. *Siarhiei Klimuk* (fined 30 minimal salaries)
12. *Dzianis Mikhalchyk* (fined 30 minimal salaries)

REGISTERED AS HOMELESS

AND KEPT FOR 2 DAYS IN THE DETENTION CENTER...

Ales Bielski and Alies Dubinchuk (both under age) from Pukhavichy were detained on November 12 in Miensk for participation in the youth rally «We Want Changes!» and taken to the Maskowski District Board of Internal Affairs (DBIA). They were kept there till midnight and then taken to the juvenile detention center in Akrestsina Street, as their parents didn't know where they were and couldn't take them home. A. Bielski and A. Dubinchuk asked the police to let them go, showed their train tickets to Pukhavichy, but the police officers said that they «must make sure that nothing bad will happen to the detained after midnight» Only on Tuesday, November 14 the parents took the children home. A member of HRC «Viasna» had a talk with an employee of the juvenile detention center. It was found out that the children were registered as homeless because they had no money and no documents.

How It Was

A Participant of the Youth Rally «We Want Changes!» Witnesses

Excerpt from application of Kryscina Sidun to HRC «Viasna»:

«At 6.50 p.m. on **November 12** I was detained at a trolley-bus station near the Academy of Sciences. The policemen who had seized me refused to tell me their names and gave no explanations. The reason for the detention was «slow reaction to the police orders». A short dark-haired moustached man had a problem finding spare room for me on one of the buses. He left me there and didn't come back, he didn't participate in drawing up police reports either.

Two buses simultaneously took people to the Maskowski DBIA. The policemen took 25 people to a classroom. There they made a list of the detainees, checked their documents and noted down the people's explanations. Then they released the journalists and filmed the rest with a video camera. Then special police squad officers came. They were trying to identify the people whom they had detained. They identified 4 people and compiled the charge sheets.

Then the special police squad officers were ordered to split up into groups of 2 to distribute the detainees among themselves and to compose charge sheets. Each police officer had a sample of a charge sheet which they simply copied, leaving blank space on the top to be filled in with people's data after the charge sheets were finished... Many people tried to protest, saying that they had been detained by other people, and not the ones drawing up the charge sheets, but there was no reaction whatsoever. For instance, though the same man had detained Andrei Vitushka and me, there were names of different policemen in the charge sheets. The charge sheet said that I had been participating in an unauthorized march, shouting «Shame on you!» and «Long Live Belarus!», and had resisted the police during the detention. The policemen wrote similar charge sheets on all the people who were kept in the room.

Then the policemen started to draw up the reports. Every policeman had a sample text with the exact wording of accusation. The majority of the detainees, including me, refused to sign the reports. They finished at 12 p.m. Two teenagers were taken to the detention center. One of the policemen explained: «Something could happen to them after midnight, we just took good care of them». The other minors were taken somewhere after 1 a.m. Two students were released after 2 a.m.

We were kept in the roqm for three hours without any explanations. A police officer with a pile of documents regularly came into the room. He suggested that we should plead guilty because of irrefutable photo and video evidence against us. The policemen walked dogs near the detained people loudly expressing their satisfaction that they had detained only educated, intelligent-looking people (mainly students).

At 3 a.m. the policemen released Andrei Vitushka, two students of Belarusian State University of Informatics and Radioelectronics, and me, advising us not to ignore citations that we would soon receive.

After we left the DBIA, 4 people were still remaining there. Among them were Ian Tsitovich and Vital Koshaliew whose parents were waiting for them outside.

A police officer took us to the city center in his own car. He explained that we had been kept in the DBIA because the policemen had been looking for vacant cells. They had to release us as there was no room any more».

Kryscina SIDUN

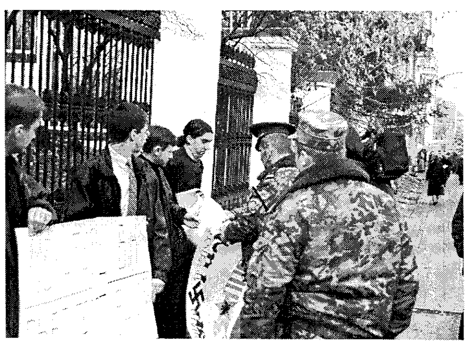
Drunk Juvenile Inspector...

On November 12, after the youth rally «We Want Changes!» the police took 16 teenagers to the Miensk Piershamaiski DBIA . The juvenile inspector, police lieutenant Sviatlana H. Baradzina was drawing up the reports of administrative violations. S. Baradzina, in presence of the teenagers' parents and attorney Viera Stramkowskaia, addressed the detainees in foul language and threatened them that she would personally influence the court verdict. Siarhiei Astapchuk's parents and Viera Stramkowskaia noticed that such behavior was caused by alcohol intoxication. They filed a complaint to the head of the Piershamaiski DBIA pointing out misfeasance on the part of S. Baradzina and asking to carry out an alcohol test and an official investigation and to punish the inspector for illegal actions. Their complaint was registered at the Piershamaiski DBIA.

Maxim Astapchuk's mother worked as juvenile inspector for more than 20 years. She thinks that it's not the position such people as S. Baradzina can hold because of possible bad influence on the under-aged.

Information department of «Viasna»





A Picket at the German Embassy

On November 3 the members of the Belarusian Freedom Party carried out an unauthorized picket near the German Embassy. They protested against the annexation of Belarus to Russia, which, as they think, is supported by the policy of Germany and the Consultative Monitoring Group of OSCE. In particular, they mentioned the statement of Mr. Wieck, the head of the OSCE mission to Belarus, that "For the last six years the OSCE has pursued the policy of joining Belarus to Russia, which is already going the way of democratization, in order to bring democracy to Belarus". The picket lasted only for several minutes. Nobody came out of the Embassy to take the protesters' petition. Soon the police surrounded them. What helped them avoid the arrests was a great number of journalists who had come to cover the picket.

EVENTS FACTS COMMENTS

(continued from page 1)

The trial over Siarhiei Shendarau (one of the organizers of the October 8 March of Freedom in Babruisk) took place on **October 31**. Siarhiei Shendarau received an official warning.

In the **beginning of November** "Viasna" found out that on September 29, 2000 the editor of the newspaper "Novaya Hazeta Smarhoni" requested information from the Smarhon constituency election committee. In particular, about the number of the registered voters, the budget of the constituency election committee, and the list of electioneering agents. V. Batsko, the election committee chairperson, replied with a letter, dated October 9, in which he refused to give information. The editor appealed to the Central Election Committee. L. Yarmoshyna, the chair of the Central Election Committee, replied on October 19. She wrote that Batsko acted correctly because the degree of the Mass Media involvement in the election process is limited by article 13 of the Election Code. In reality, article 13 part 1 states that elections shall be prepared and conducted openly and transparently. Part 10 of the same article states that the Mass Media shall cover the preparation and conduct of elections in compliance with the legislation. As one can see, article 13 of the Election Code does not restrict the participation of the Mass Media in elections. However, the election is already over.

On **November 1** Horadnia celebrated Dziady (Forefathers) (the day of commemoration of the ancestors). The idea was to bring flowers and light candles on the graves of the famous people who lived in Horadnia. At 17-00 the procession of people with flowers, candles and white-red-white flags in their hands headed for the memorable places of the town. When the procession stopped near the Ianka Kupala monument, the police came in a dozen of police cars with the headlights lit and the sirens roaring. The police officer ordered the crowd to break up. The police started to detain everybody who had white-red-white flags in their hands. The police threw people on the ground, manacled them and dragged them to the police cars. When the police was detaining Sviatlana Niech ("Maladaja Hramada"), they hurt her arm. In the police station they had to call for a doctor, and later took her to the emergency center. When detaining Alaxandar Mikhalchyk, Mikola Voran and Piotr Anisimovich (all — Belarusian Popular Front "Adradzennie"), the policemen threw them on the ground and manacled them. All the detained were taken to the Leninski district police department of Horadnia where reports were drawn up registering the violation of article 167.1 of the Code for Administrative Violations. Piotr Anisimovic and Mikola Voran (also accused of resisting the police) were summoned to appear in court on November 2. In three hours all the detained were released. The people went back to the Ianka Kupala monument where they had been arrested. The memorial service at 11 p.m. in Kalozha Church ended the commemoration.

The following people were detained:

1. *Sviatlana Niekh*
2. *Aksana Milun*
3. *Piotr Anisimovich*
4. *Vadzim Saranchukow*
5. *Iula Darashkievich*
6. *Volha Ivanova*
7. *Iryna Danilowskaia*
8. *Zmitsier Ivanowski*
9. *Uladzimir Khilmanovich*
10. *Mikola Voran*
11. *Hienadz Kurhun*
12. *Viktar Kireyeu*
13. *Vieslau Birula*
14. *Raman Ramashka*
15. *Iryna Salei*
16. *Kastus Zhyn*
17. *Alaksandar Mikhalchyk*
18. *Siarhiei Malchyk*
19. *Sviatlana Stankievich*
20. *Siarhiei Antusievich*
21. *Uladzimir Chartapalaw*
22. *Ihar Babkin*
23. *Dzianis Ivashyn*

On **November 2** Mikola Voran and Piotr Anisimovic appeared in court to answer to the administrative charges. Piotr Anisimovic demanded an open trial, and Mikola Voran asked for an interpreter (he refused to speak Russian). Because of these two appeals the trial proceedings were postponed.

In **the night of November 5**, 2000 the editorial office of "Shag", an independent daily newspaper, was burgled.

At 4 a.m. unidentified people tapped at the door of the office asking for help. The guard went out and was severely beaten. After that the four unidentified people knocked the office door out to steal 5 computers, 2 printers and 2 scanners. According to A.Vajtsiakhouski, the newspapers' chief executive, the staff does not exclude the hidden political motive of the robbing. The stolen computers contained the database without which the work of the independent daily is completely paralyzed.

On **November 8** at 11 o'clock the Tsentralny district court considered the complaint of Uladzimir Kishkurna about the unauthorized actions of police. Uladzimir Kishkurna was detained on September 15 during the meeting with voters, the police report was drawn up by the terms of article 167.1 of the Code for Administrative Violations (CAV) (violation of law on the conduct of mass demonstrations). Three days later Uladzimir Kishkurna was summoned to Tsentralny District Board of Internal Affairs, where one more report was drawn up. This time it was article 167.3 of CAV (Violation of election legislation, calls for boycott). The trial took place on September 22. Kishkurna was acquitted of the charge of violation of the law on the conduct of mass demonstrations but found guilty of violation of the election legislation and fined 5 minimal salaries. Practically, Kishkurna was sentenced on the ground of the report drawn up three days after the detention. Therefore, Kishkurna filed a complaint on the unauthorized actions of police. He demanded his detention to be recognized illegal, written apologies and the reimbursement of the law charges he had incurred. Judge Yesman dismissed the complaint. The judge did not give any reasons for the decision. U. Kishkurna is going to file complaints to the superior courts. The next stage is the Miensk city court.







*On **October 29** and **30**, as well as on **November 5** the people commemorated the victims of the Stalin repression. People brought the memorial crosses and the priests of different faiths held memorial services at the mass burial places – Kurapaty and Loshytski Park.*

On **November 8** we found out the results of Mikhail Arzhayeu's complaint to the Maskouski district Prosecutor's office. The Prosecutor's office considered Mikhail Arzhayeu's complaint filed on October 20. The inspection confirmed the facts presented in the complaint. The head of the Department of the Internal Affairs of the district administration is offered to eliminate the discovered violations of the legislation. The prosecutor also raised an issue of calling the guilty persons to account. Mikhail Arzhayeu was detained in Miensk on September 13 near Independence Square. The police took him to the Maskouski District Department of the Internal Affairs, and drew up the report by the terms of article 167.3 of the Code of Administrative Violations (CAV) (violation of election legislation, calls for boycott). After the report was drawn up, he was taken to the detention cell where he spent the whole night till 12.00 of the next day. At 12.30 Mikhail Arzhayeu was brought to court to answer to the administrative charges, Judge Alena Troynich found him guilty. The police grossly violated the norms of the legislation. By the terms of article 242 of CAV, the term of administrative detention cannot exceed 3 hours. Moreover, the policemen refused his numerous requests to inform his parents about the detention, doing so the police violated article 6 of Law on the police and article 240 of CAV. When Arzhayeu's mother called the police station herself they told her that her son was not there... As the facts were confirmed, the guilty policemen are to bear administrative responsibility.

On **November 11** at 6 p.m. the police detained Alena Yarmolenka, 62, who had been posting the stickers invitating to join the youth rally "We Want Changes!"

The report was drawn up by the terms of article 143 of the Code of Administrative Violations (anti-sanitation).

On **November 11** we learned that a web-site devoted to the Niamiha tragedy was created by Zmitsier Prynko – a friend of Nasta Sawko who died there. The site contains historical references, information about the Niamiha tragedy and those who died in that horrible tragedy. There are also pictures of the tragedy victims, poems, epitaphs, and recollections. The author of the site asks everybody, who has concrete and interesting information about the events of May 30, 1999, to contact him. The address of the site is:
www.Nemiga99.newmail.ru

THE NUMBER OF HUMAN RIGHTS ACTIVISTS GOES UP

One more human rights organization was established in Belarus: on November 12 the national public association "Helsinki -XXI" held its founding meeting.

A considerable part of the organization founders are the people who this autumn, just before the parliamentary election, decided to leave the Belarusian Helsinki Committee. The decision was provoked by two major reasons: "authoritarian" management methods of Tatsiana Protska, organization chair, and mutually exclusive opinions on the issue of boycotting in the parliamentary election.

About 150 activists from all regions of the country gathered in order to create a new organization with a somewhat symbolic name "Helsinki -XXI". The delegates adopted the Constitution and elected the governing bodies of the organization: Sojm (5 people) and Rada (Council) (9 people). Rada, according to the Constitution of the organization will soon elect the chair. There are many famous people among the founders of the newly established organization: Alaksandar Patupa, Valery Filipaw, Ryhor Baradulin, Sviatlana Aleksiyevich, Iury Khashchavacki, Valantsin Taras, Uladzimir Khalip.

Hanna Charnyshova, a representative of the Consultative-Monitoring Group of OSCE, Mr.Kremer, a representative of the German Embassy, as well as the representatives of already existing human rights organizations: Viera Stramkowskaya, Aleh Vowchak, Nadzieya Dudarava, Ales Bialatski visited the founding meeting as guests. However, I didn't see anyone representing the Belarusian Helsinki Committee.

When talking to the journalists, the political scientist Alaksandar Patupa, head of the group that initiated the creation of "Helsinki-XXI", underlined that the new organization does not aim at competing with other human rights organizations. Highlighting the ruined civil society in Belarus, and the fact that even trade unions have to fight for their rights, the activists of the newly established organization are aware of the vital importance of specialized human rights organizations. Besides that, according to Patupa, they aim at "setting up a positive example of human rights movement".

Tatsiana SNITKO

«GOD FORBID YOU HAVE SUCH A SORROW!..»

During their November 4 picket near the "Niamiha" metro station, the parents collected 1896 signatures supporting the creation of a chapel on the scene of their 53 children's death.





The picket was aimed at attracting the attention of the public and of the authorities to the issue of commemorating the dead. In the beginning of the picket, at 12 a.m., when the parents just started to unfold their posters, Lukashenka's motorcade went by along Masherau Avenue. Some of the parents are sure that Lukashenka's car slowed down for a split second. For some of the posters appealed directly to Lukashenka. Maybe it only seemed to them... But it is exactly known that special police agents filmed all the picket participants together with their posters.

The parents do not care about that, they care about the commemoration of their children and building the chapel. The Miensk residents who left their signatures under the appeal to the authorities go along with them on that. Siarhiej Nasonau (father of Lena, 17, who died on May 30, 1999 in the Niamiha tragedy) says: "Young people don't hesitate to put their signatures. They understand everything... But there are other cases: a couple with a child says passing by the picket: "It's none of our business!" Mind what you say, you also have a child! God forbid they have such a grief! That's how the people reveal their true personality". Natalla Navakouskaja (mother of Alautsina Navakouskaja, born 1983): "But the majority of people support us. That's what we learned during the picket – most of the people support our idea!"

PANKRATZ

CORRESPONDENT OF «THE RIGHT TO FREEDOM» SPEAKS ABOUT THE FAMOUS PRAGUE PRISON

Major Sysa, the head of the department of the investigatory detention ward, introduces us to the prison orders. He says that 520 out of 1000 prisoners are foreign citizens who come from 42 countries, among them one can meet Russians, Belarusians, Latvians, Ukrainians... Such a multinational and multilingual prison community creates a huge problem for the prison personnel: there is a great need for interpreters.

On the ground floor there are standard investigatory detention wards. We come to the first cell to meet a Belarusian guy from a small village (he refused to name it) of Lida district, Horadnia region. He gives us a cunning smile and tells us his story of getting into prison, with naivety, intended to win over the inexperienced audience. "I took a car to go for a drive, I got here through my own stupidity"—he explains. Soon we find out that he has already been here for 38 days. He came to The Czech Republic 6 months ago. "I wanted to earn some money, — says our "motor-car enthusiast", — it turned out quite the other way". Then we learn that soon he will be tried in court, that he has a Czech attorney who is fluent in Russian. He sent a letter back home, but is still waiting for the answer. The only problem is the lack of Russian-language reading-matter, he is learning Czech, reading books and magazines from the prison library. He says that this is his first time in jail. Having no experience of Belarusian prisons, he can't compare the prison conditions, but would like to serve his sentence in The Czech Republic. He jokes that he is fond of Czech cuisine, he even managed to gain some weight here. The prisoners have 4 meals a day. They have an hour-walk either in the morning, or in the afternoon. His Czech cellmates share their cigarettes with him. "When one gets to the first floor (e.g. is convicted) – one has an opportunity to practice sports during his walking hour" – adds our imprisoned compatriot. He says that he has three cellmates, one Ukrainian, and two Czechs, earlier there was also a German. "Interesting, — he says, — I met so many different people here. Problems? No, no problems at all". Saying good-bye to the fellow-countryman, the Belarusian lawyers and human rights activists left him the cigarettes they had on them.

Major Sysa thinks that our unfortunate criminal faces at least a year or two of imprisonment. Not everything in his story was true: besides carjacking he is also charged with a swindle. That's why our fellow countryman should not have pretended to be a prey to circumstances and bad luck. "I don't believe that one can acquire such strongly pronounced criminal manners in such a short time period. I am sure that's not his first time in prison" – concludes his lawyer who must have met lots of such defendants.

We use the chance to have a look at the cell of our "motor-car enthusiast". This is a standard cell for people under investigation, designed for 4 people (cells for convicted people have 3 "residents", and only 2 in the case of juvenile offenders. The law requires 3.5 m2 per each prisoner, and the administration of the penitentiary institution can not exceed the norms, it is especially true for the juvenile cells). The cell contains 4 iron beds with mattresses, blankets and bed-clothes, a table and 4 stools (we found out that the number of stools depends on the number of prisoners in the cell – each prisoner must have one), w.c. pan and a sink. Mr. Sysa explains that Pankratz is over 100 year old that's why there is only a cold water tap. This means that the prison does not meet the modern requirements, because each cell is supposed to be supplied with both cold and hot water taps.

The juvenile department is situated on the ground floor. The juvenile regimen is a lot different from the one for adult offenders. There are only 2 people to each cell. The youngest Pankratz prisoner is 16 years old. Thefts make up the majority of the offences. Mr. Sysa tells us about the efforts of the administration to introduce the young prisoners to culture and sport, in order to give vent to their young energy. "This practice justifies itself, — he adds, — when young people have something to do, they will not think of doing something that is forbidden".

Juvenile offenders can read, or pursue their hobbies in a separate room: music, computer-work, board games are allowed there. The experienced teachers and specialists supervise them. Every three months they organize chess, Ping-Pong, and other competitions. Christmas and Easter are celebrated with a performance.

Juvenile offenders under investigation have a right to watch TV and videotapes checked by the prison personnel. The regimen allows inmates to have their own TV and radio, but the majority of teenagers can not afford it. There is a special room where everybody can watch TV. Before the teenagers go there, they have to split into several groups in order to meet the recommendations for prisoners under investigation. For instance, they are not supposed to meet their accomplices. There are four Czech channels on the prison TV, there are no restrictions in the choice of the programs. However, sometimes the administration may forbid a teenager to watch TV in the common room as a punishment.

We ask if any teenagers from Belarus are here under investigation. As there are no Belarusians, major Sysa leads us to another cell, where we meet a 17-year-old Ukrainian and a Moldavian of the same age. The Ukrainian has been for 1,5 years in The Czech Republic, most of that term spent in Pankratz. The Moldavian came to Prague only 4 months ago but managed to steal something and get to jail. When the guys heard that they are the subject of the conversation, which was, furthermore, translated into Russian, they made every effort to convince us that they were innocent. They say they wanted to see the sights of Prague, and lost their return-tickets. They say that there are a lot of such people here – those, who lost their passports and had no chance to go back. They break the law only to make their living... I can only be sorry for the young adventurers and hope that it will be their first and last prison lesson in their lives...

Walking around Pankratz, we pay attention to the fact that many prisoners do not wear the prison uniform but casual clothes. Mr. Sysa explains that the people under investigation are allowed to wear the clothes of their own, under the condition that he is regularly provided with a change of clothes and underwear. In the case the requirements are not met, the prison itself provides a person with uniform and is responsible for changing it every week. The uniform is washed and cleaned by the convicts themselves.

A prisoner also has the right to keep a watch, rings, and cash in the cell, but he himself is responsible for its safety (In Belarus one can have only money on a bank account – on a special card, — the Czech penitentiary system introduced the new rules not so long ago). Every person under investigation has the right to receive money orders from his relatives or any other person. The money is kept on one's bank account, one may withdraw the maximum of 2000 crowns (app. $50) once in two weeks. Once a week one may go shopping to the prison store. One may receive parcels (not exceeding 5 kg) once in two weeks, and a parcel may contain not only food. The very first day one gets in investigatory detention ward, the administration gives him a list of items allowed in parcels. The prisoner is just to cut out the list and send it to his family.

Tatsiana REVIAKA

(To be continued)

(continued from issue №18(66)

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